

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:) CHAPTER 13
SCOTTIE LAMAR COUSINS) CASE NUMBER A18-68840-JRS
)
DEBTOR)

MOTION TO DISMISS

COMES NOW Nancy J. Whaley, Standing Chapter 13 Trustee, in the above styled case, and respectfully shows the Court as follows:

1.

Debtor filed a petition for relief under Chapter 13 of Title 11.

2.

The Debtor's case should have completed prior to this point. The Debtor has failed to tender the final payments. The amount required to complete all plan payments is approximately \$2039.00.

3.

Debtor's plan will exceed sixty (60) months by two (2) months in violation of 11 U.S.C. Sections 1322(d)(2)(c) and 1307(c).

Wherefore, the Trustee prays that this case be dismissed or in alternative that the Debtor proposes a modification to meet the requirements of the confirmed plan that ensures that the plan is completed within the allowable time.

This the 6th day of November, 2023.

/s/ _____
Lisa B. Burnette
Attorney for the Chapter 13 Trustee
State Bar No. 096192
303 Peachtree Center Avenue, NE - Suite 120
Atlanta, GA 30303
678-992-1201
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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:	:	CASE NO. A18-68840 JRS
	:	
SCOTTIE LAMAR COUSINS	:	CHAPTER 13
	:	
Debtor(s).	:	
_____	:	
	:	
	:	
NANCY WHALEY, TRUSTEE	:	
	:	CONTESTED MATTER
Movant(s),	:	
v.	:	
	:	
SCOTTIE LAMAR COUSINS	:	
	:	
Respondant(s),	:	
_____	:	

NOTICE OF HEARING ON TRUSTEE'S MOTION TO DISMISS

NANCY J. WHALEY has filed a *Motion to Dismiss* on *November 06, 2023*. A hearing on the pleading has been scheduled for *January 03, 2024*. The Court will hold a hearing on the **Motion to Dismiss at 10:00 AM on 01/03/2024 in Courtroom 1404, United States Courthouse, 75 Ted Turner Drive, SW Atlanta, GA 30303** which may be attended in person or via the Court's Virtual Hearing Room. You may join the Virtual Hearing Room through the "Dial-in and Virtual Bankruptcy Hearing Information" link at the top of the homepage of the Court's website, www.ganb.uscourts.gov, or the link on the judge's webpage, which can also be found on the Court's website. Please also review the "Hearing Information" tab on the judge's webpage for further information about the hearing. You should be prepared to appear at the hearing via video, but you may leave your camera in the off position until the Court instructs otherwise. Unrepresented persons who do not have video capability may use the telephone dial-in information on the judge's webpage.

If you do not want the Court to grant the relief sought in these pleadings or if you want the Court to consider your views, then you must attend the hearing. You may also file a written

response to the pleading with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how and on whom (including address) you served the response. Mail or deliver your response so that it is received by the Clerk at least two (2) business days before the hearing. The address of the Clerk's Office is **Clerk, U.S. Bankruptcy Court, Suite 1340, 75 Ted Turner Drive, Atlanta, GA 30303.**

You must also mail a copy of your response to the undersigned at the address stated below.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

Dated November 06, 2023

Respectfully submitted,

/s/ _____
Lisa B. Burnette
Attorney for the Chapter 13 Trustee
State Bar No. 096192
303 Peachtree Center Avenue, NE - Suite 120
Atlanta, GA 30303
678-992-1201
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CERTIFICATE OF SERVICE

Case No: A18-68840-JRS

I hereby certify that on the 6th day of November, 2023, I electronically filed the foregoing Chapter 1 Trustee's Motion to Dismiss with the Clerk of Court using the CM/ECF system which will automatically send an e-mail notification of such filing to the parties or attorneys of record.

I have also on this day caused a copy of the pleading to be placed in the first-class United States mail postage prepaid, addressed to the following recipients not participating in the CM/ECF system as follows:

SCOTTIE LAMAR COUSINS
124 CAVERNS PLACE NE
CALHOUN, GA 30701

Dated: November 06, 2023

/s/ _____
Lisa B. Burnette
Attorney for the Chapter 13 Trustee
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Atlanta, GA 30303
678-992-1201
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